

From: Suriano, Elaine [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=470F2E90E6DC4F5FAE5ED305EE2DEF58-ESURIANO]
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To: KELLY, PATRICKJ [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4874f75850e34daa9aa1a3f8adc04482-PKELLY04]
Subject: Reference email 1508.25.
Attachments: Connected etc. examples.docx

Patrick –

Per our call the other day about connected actions, here are a few items that might be of use. I really was amazed at all the court cases on “connected action”.

Sec. 1508.25 Scope, Connected action etc.....

Scope consists of the range of actions, alternatives, and impacts to be considered in an environmental impact statement. The scope of an individual statement may depend on its relationships to other statements (Secs.1502.20 and 1508.28). To determine the scope of environmental impact statements, agencies shall consider 3 types of actions, 3 types of alternatives, and 3 types of impacts. They include:

(a) Actions (other than unconnected single actions) which may be:

1. Connected actions, which means that they are closely related and therefore should be discussed in the same impact statement. Actions are connected if they:
 - (i) Automatically trigger other actions which may require environmental impact statements.
 - (ii) Cannot or will not proceed unless other actions are taken previously or simultaneously.
 - (iii) Are interdependent parts of a larger action and depend on the larger action for their justification.
2. Cumulative actions, which when viewed with other proposed actions have cumulatively significant impacts and should therefore be discussed in the same impact statement.
3. Similar actions, which when viewed with other reasonably foreseeable or proposed agency actions, have similarities that provide a basis for evaluating their environmental consequences together, such as common timing or geography. An agency may wish to analyze these actions in the same impact statement. It should do so when the best way to assess adequately the combined impacts of similar actions or reasonable alternatives to such actions is to treat them in a single impact statement.

<http://www.savethesantacruzaquifer.info/NEPAConnectedActions.htm> (recent examples)

(Not really that new)

Thomas v. Peterson: The Ninth Circuit Breathes New Life into CEQ's ...

<https://elr.info/sites/default/files/articles/15.10289.htm>

Older EPA PDF of Considering Cumulative Impacts - <https://www.epa.gov/sites/production/files/2014-08/documents/cumulative.pdf> Offers a few C.I. assessment examples.+

Regards, E...

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